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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/792,175	03/03/2004	Andrea Finke-Anlauff	042933/275300	3770
10/949 7590 10/11/2011 Nokia Corporation and Alston & Bird LLP c/o Alston & Bird LLP Bank of America Plaza, 101 South Tryon Street Suite 4000 Charlotte, NC 28280-4000				
EXAMINER				
HAILU, TADESSE				
ART UNIT		PAPER NUMBER		
2173				
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10/11/2011		PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

**Office Action Summary****Application No.**

10/792,175

**Applicant(s)**

FINKE-ANLAUFF ET AL.

**Examiner**

TADEESE HAILU

**Art Unit**

2173

**Period for Reply** -- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 08 July 2011.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ An election was made by the applicant in response to a restriction requirement set forth during the interview on \_\_\_\_; the restriction requirement and election have been incorporated into this action.
- 4) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 5) ☒ Claim(s) 1,2,4-10,12,13,15-26,28-33,35 and 36 is/are pending in the application.
- 5a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 6) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 7) ☒ Claim(s) 1,2,4-10,12,13,15-26,28-33,35 and 36 is/are rejected.
- 8) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 9) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 10) ☐ The specification is objected to by the Examiner.
- 11) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 12) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_

### **DETAILED ACTION**

1. This Office action is responsive to the amendment submitted July 8, 2011. Claims 1, 2, 4-10, 12-13, 15-26, 28-33, and 35-36 are pending, all reexamined and rejected.

#### ***Response to Arguments***

Applicants' arguments filed July 8, 2011 have been fully considered but they are not persuasive. The applicants argue that neither Rothmuller et al nor Adcock et al teaches the claimed invention. Applicants submit amendments to independent Claims 1, 26, 29, and 35, and as a result, the examiner replaced the previous 35 USC § 102 with 35 USC § 103.

The applicants allegedly argues that Rothmuller fails to teach "a timeline view to be generated that is presented in combination with the media view, wherein the media view is associated with the timeline view such that access to the at least one digital media file is provided according to periods of time defined in the timeline and according to events represented in the timeline." The examiner strongly disagrees as given rejection below Rothmuller discloses a timeline 250 (timeline view) that is presented in combination with the image area 100 (media view) , wherein the media view is associated with the timeline view such that access to the at least one digital media file is provided according to periods of time defined in the timeline (see the timeline 250 it reads 'image taken between Jan'98-Today', similarly the image area reflects the period of time read in the timeline, Fig. 1, Page 7 lines 27-31 & page 8 lines 1-14) and according to

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events (e.g., temporal event) represented in the timeline (page 3, lines 5-9, and page 5 lines 18-25).

Applicants submit that Rothmuller fails to teach or suggest at least that "the media view is scrollable for locating one or more media files" and that "the timeline view is scrollable for locating periods of time." The examiner believes the arrows shown on the timeline 250 in Fig. 1 and 3 are for scrolling (as evidenced by the arrows labeled as "Quick scroll 310, in Fig. 1). Let us assume since enough description about left and right scrolling arrows are not shown, the examiner incorporates Adcock (see left and right scrolling arrows on timeline of Figs. 2-5) with Rothmuller.

Applicants submit that Adcock fails to teach or suggest that "the media view further provides text information for the digital media file" and that the timeline view "is presented in combination with the media view, wherein the media view is associated with the timeline view such that access to the digital media file is provided according to periods of time defined in the timeline and according to events represented in the timeline." As given in the rejection below the combined art reads the claimed language, for example Rothmuller discloses that the image area 100 further provides information associated with the media files such information includes at least temporal information and location information (see textual information - 'photos in Kenya 1993'). Also see Page 2, lines 13-19).

Additionally, the applicants submit Adcock fails to teach or suggest a "media view that is scrollable for locating one or more media files." In particular, with reference to FIG. 4, the timeline of may be scrollable between arrows (401) and (403), however, Adcock does not teach or suggest scrolling the media display. In contrast, embodiments of the claimed invention can scroll the media view to locate one or more media files in addition to scrolling the timeline.

As indicated above, at least the applicant admits Adcock disclose a scrollable timeline. The examiner also indicates that Adcock includes a vertical scroll as shown in Fig. 7 to scroll and locate images in in the main display area, image area (media view). Similarly, Rothmuller also discloses scrolling means (see the vertical scroll bar, Fig. 1) to scroll the images in the image area (media view).

Having fully addressed the applicants' arguments, the rejection is maintained.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 2, 4-10, 12-13, 15-26, 28-33, and 35-36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rothmuller et al ("Rothmuller")

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(International Pub No. WO 02/057959 A2) in view of Adcock et al ("Adcock") (20040125150).

Claim 1: Rothmuller discloses a computer program product comprising instructions operable to cause a programmable processor to generate an image area 100 (**a media view**) that provides access to at least one image file (digital media file) and associates the at least one digital media file with a period of time (For example, a set of photos taken on a given calendar day (12/25/01) are shown in Fig. 1. Also see Page 2, lines 13-19), Furthermore, as illustrated in Fig. 1 the image area 100 (media view) includes at least a vertical scroll bar with selectable up/down arrows or scrollers so that a user will be able to scroll and locate one or more media files. wherein the image area 100 further provides information associated with the media files such information includes at least temporal information and location information (see textual information - 'photos in Kenya 1993'). Also see Page 2, lines 13-19).

generate a timeline 250 (**timeline view**) that is presented in combination with the image area 100 (media view) , wherein the media view is associated with the timeline view such that access to the at least one digital media file is provided according to periods of time defined in the timeline (see the timeline 250 it reads 'image taken between Jan'98-Today', similarly the image area reflects the period of time read in the timeline, Fig. 1, Page 7 lines 27-31 & page 8 lines

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1-14) and according to events (e.g., temporal event) represented in the timeline (page 3, lines 5-9, and page 5 lines 18-25) (Fig. 3).

The examiner believes that Rothmuller does ended scroll items see ('Quick scroll 310' as indicated by selectable downward arrow, Fig. 1). In similar manner the selectable left/right directional arrows on the scroll bar of the timeline 250 (Fig. 1 and 3) allows the user to navigate or scroll horizontally to other temporal information so that other temporal information may be shown on the timeline view. Thus, as supported by the above citation, since the directional arrows on the scroll bar Fig. 1 is solely to scroll and locate item, the selectable left/right directional arrows on the scroll bar scrolls the timeline 250 (Fig. 1 and 3). However, the above language does not seem explicitly described. Adcock, in the same field of endeavor, is directed to Calendar-based interfaces for browsing and manipulation of digital images. Adcock explicitly indicated selectable left/right directional arrows (e.g., 401/403 arrows) on a scroll bar (Figs. 2-5) of a timeline. Thus, at the time of the invention was made, it would have been obvious to incorporate the scrolling mechanism shown in the timeline of Adcock's with timeline of Rothmuller so that a user will be able to view other temporal information available on the timeline. Therefore, it would have been obvious to combine Rothmuller with Adcock to obtain the invention as specified in claim 1.

Independent claims 26, 29 and 35 correspond generally to independent claim 1 and recite similar features in method, method and apparatus form , respectively, and therefore are rejected under the same rationale.



Claim 2: Rothmuller in view of Adcock discloses generating the media view further associate the at least one digital media file with event information (Rothmuller, page 6, lines 20-25).

Claim 4: Rothmuller in view of Adcock discloses associating the least one digital media file with a period of time that is defined by metadata associated with the at least one digital media file (Rothmuller, page 7 lines 4-15).

Claim 5: Rothmuller in view of Adcock discloses generating title information for the at least one digital media file (Rothmuller, page 6 lines 9-13).

Claim 6: Rothmuller in view of Adcock discloses displaying, in the media view, the title information in conjunction with the at least one digital media file (Rothmuller, page 12 lines 4-9).

Claim 7: Rothmuller in view of Adcock discloses defining the title information by metadata associated with the at least one media file (Rothmuller, page 12 lines 4-13).

Claim 8: Rothmuller in view of Adcock discloses generating group title information for a plurality of digital media files having related metadata information (Rothmuller, page 6 lines 9-20).

Claim 9: Rothmuller in view of Adcock discloses the instructions for generating group title information include instructions for displaying, in the media view, the group title information in conjunction with the plurality of digital media files (Rothmuller, page 12 lines 4-13).

Claim 10: Rothmuller in view of Adcock discloses the instructions for

generating group title information for the plurality of digital media files include instructions for defining the group title information by comparable metadata associated with the plurality of digital media files (Rothmuller, page 6 lines 3-14).

Claim 12: Rothmuller in view of Adcock discloses generating the timeline view include instructions for generating a scrollable timeline that is scrollable in a horizontal manner (Adcock, Figs. 2-5)

Claim 13: Rothmuller in view of Adcock discloses generating the timeline view include instructions for generating a scrollable timeline that is scrollable in a vertical manner (Adcock, Figs. 2-5)

Claim 15: Rothmuller in view of Adcock discloses the product of claim 14, wherein the first instructions for generating the media view include instructions for generating a scrollable media view that is scrollable in a vertical manner horizontal manner (Rothmuller, see the vertical scroll bar in Fig. 1 or Adcock's Fig. 7). Thus, both Rothmuller and Adcock show the claimed scrolling feature except the direction of scrolling is not in horizontal directions. In a graphical user interface environment it is a common practice to configure/place a scroll bar in one or more direction. It would have been obvious matter of design choice to configure or add horizontal scroller in Figure 1 of Rothmuller or Fig. 7 of Adcock, since applicant has not disclosed that having scroller horizontally or scrolling in horizontal direction solves any stated problem or is for any particular purpose and it appears that Rothmuller's or Adcock's vertically scrolling would perform equally well.

Claim 16: Rothmuller in view of Adcock discloses generating the media view includes instructions for generating a scrollable media view that is scrollable in a vertical manner (Rothmuller, see vertical scroll bar, Fig. 1 or Adcock's Fig. 7).

Claim 18: Rothmuller in view of Adcock discloses "scrolling the media view in a horizontal manner" (see the rationale given to reject claim 15) and "scrolling the timeline view in a horizontal manner" (see Adcock, Figs. 2-5, For example see scrolling arrows 401 and 403 in Fig. 4).

Claim 19: Rothmuller in view of Adcock discloses generating the media view and generating a timeline view include instructions for scrolling the media view in a vertical manner (Rothmuller, see vertical scroll bar, Fig. 1 or Adcock's Fig. 7).and scrolling the timeline view in a vertical manner ((Rothmuller, see up and down arrows in timeline of Fig. 4).

Claim 20: Rothmuller in view of Adcock discloses generating a timeline view include instructions for generating a timeline in the form of a time bar (Rothmuller, timeline 250 in Fig. 1 or see timeline of Adcock's Figs. 2-5).

Claim 21: Rothmuller in view of Adcock discloses generating a timeline view includes instructions for generating a time handle that provides for the timeline to be scrolled (see scrolling arrows on timeline of Adcock's Figs. 2-5).

Claim 22: Rothmuller in view of Adcock discloses searching the media view in terms of a period of time (Rothmuller, Time bands can be set along the timeline to indicate a time period that can be used to search for matching objects in the database, page 3, lines 1-9, the timeline of Fig. 1 also shows the time

handle to search the media view in terms of the time periods).

Claim 23: Rothmuller in view of Adcock discloses searching the media view in terms of any combination of metadata information (Rothmuller, page 2, lines 12-19).

Claim 24: Rothmuller in view of Adcock discloses generating a media view include instructions for adjusting the area of the periods of time within the media view according to the amount of digital media files in the period of time (Rothmuller, page 8, lines 14-21).

Claim 25: Rothmuller in view of Adcock discloses adjusting the area of the periods of time include instructions for adjusting the area of the period of time view so that all of the media files within a period of time are viewable within a display (Rothmuller, page 8, lines 4-13).

Claim 28: Rothmuller in view of Adcock discloses providing a user the ability to locate digital media files within the media view by movement of a time handle that is displayed in conjunction with the timeline view (Rothmuller, see time handle 251 in Fig. 3, page 7, lines 27-page 8, lines 3).

Claim 30: Rothmuller in view of Adcock discloses determining the manner in which the media file will be represented in a media view of the media diary further comprises determining the size of a thumbnail representing the media file (Adcock, pars. 3, and 46).

Claim 31: Rothmuller in view of Adcock discloses determining the manner in which the media file will be represented in a media view of the media diary

further comprises determining a size of the date column within which the representation will reside (Adcock, Pars. 31, 32 and 46).

Claim 32: Rothmuller in view of Adcock discloses determining the manner in which the media file will be represented in a media view of the media diary further comprises determining the size of the media view in proportion to the overall viewing area. (Adcock, Pars. 46 and 47).

Claim 33: Rothmuller in view of Adcock discloses determining the manner in which the media file will be represented in a media view of the media diary further comprises determining a quantity of the media files represented in a date column (Adcock, Fig. 4, Pars. 25, 31 and 32).

Claim 36: Rothmuller in view of Adcock discloses a display in communication with the processing unit that presents, independently, the media view and the timeline view (Rothmuller, Fig. 1, which shows the combined view of the media view and the timeline view or Adcock's Figs. 2-5).

## **CONCLUSION**

5. It is noted that any citation to specific pages, columns, figures, or lines in the prior art references any interpretation of the references should not be considered to be limiting in any way. A reference is relevant for all it contains and may be relied upon for all that it would have reasonably suggested to one having ordinary skill in the art. In re Heck, 699 F.2d 1331-33, 216 USPQ 1038-39 (Fed. Cir. 1983) (quoting In re Lemelson, 397 F.2d 1006, 1009, 158 USPQ 275, 277 (CCPA 1968)).

**4. THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

6. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Tadesse Hailu, whose telephone number is (571) 272-4051. The Examiner can normally be reached on M-F from 10:30 – 7:00 ET. If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Kieu Vu, can be reached at (571) 272-4057 Art Unit 2173.

/Tadesse Hailu/  
Primary Examiner, Art Unit 2173